

E-filed: November 18, 2011

Matthew L. Johnson (6004)  
 Russell G. Gubler (10889)  
 Katie Bindrup (12181)  
 MATTHEW L. JOHNSON & ASSOCIATES, P.C.  
 Lakes Business Park  
 8831 W. Sahara Ave.  
 Las Vegas, NV 89117  
 Phone: (702) 471-0065  
 Fax: (702) 471-0075  
 Email: mjohnson@mjohnsonlaw.com/  
 kbindrup@mjohnsonlaw.com

UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

TONY PEROULIS,

Plaintiff,

v.

PAUL KOZAK a/k/a ZACHARY  
 KRISTON a/k/a ZACHARY KING, an  
 individual, et al.,

Defendants.

Case No.: 2:07-CV-284-JCM (CWH)

**MOTION TO WITHDRAW AS  
 COUNSEL OF RECORD**

Hearing Date:

Hearing Time:


NOW COMES, Matthew L. Johnson, Esq. of the law firm of MATTHEW L.

JOHNSON & ASSOCIATES, P.C. ("MLJ") and moves this Court for permission to withdraw  
 as counsel of record for the Plaintiff, TONY PEROULIS.

This Motion is made and based upon the points and authorities below, the Affidavit of  
 Matthew L. Johnson, all the pleadings and papers on file herein, and any arguments of counsel  
 at the time of hearing.

DATED this 18<sup>th</sup> day of November, 2011.

MATTHEW L. JOHNSON &amp; ASSOCIATES, P.C.



Matthew L. Johnson (6004)  
 Russell G. Gubler (10889)  
 Katie Bindrup (12181)  
 Lakes Business Park  
 8831 West Sahara Avenue  
 Las Vegas, Nevada 89117  
 (702) 471-0065  
 (702) 471-0075 (facsimile)  
 Attorneys for Debtor

MATTHEW L. JOHNSON & ASSOCIATES, P.C.  
 LAKES BUSINESS PARK  
 8831 WEST SAHARA  
 LAS VEGAS, NEVADA 89117  
 (702) 471-0065  
 (702) 471-0075

POINTS AND AUTHORITIES

*Matthew L. Johnson & Associates, P.C. is Entitled to Withdraw  
as Counsel as the Work for Which They Were Retained Has Been  
Completed.*

Matthew L. Johnson & Associates, P.C. moves to withdraw as counsel for Debtor because the work for which MLJ was retained has been completed.

Nevada Supreme Court Rule 46 authorizes the an attorney to withdraw as counsel. The Rule states:

The attorney in an action of special proceeding may be changed at any time before a judgment or final determination as follows:

- (1) Upon consent of attorney, approved by the client;
- (2) Upon the order of the court of judge thereof on the application of the attorney of the client;
- (3) After judgment or final determination, an attorney may withdraw as attorney of record upon the attorney's filing of withdrawal, with or without the client's consent.

In this case, MLJ was hired to conduct debtor examinations related to the instant litigation. The debtor examinations have been concluded. Robert Spear remains as the attorney of record for the Plaintiff.

Thus, this office respectfully requests that the Court grant the instant request to withdraw from representation of Debtor.

DATED this 18<sup>th</sup> day of November, 2011.

MATTHEW L. JOHNSON & ASSOCIATES, P.C.



Matthew L. Johnson (6004)  
Russell G. Gubler (10889)  
Katie Bindrup (12181)  
8831 W. Sahara Avenue  
Las Vegas, Nevada 89117  
Attorneys for the Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18 day of November, 2011, I sent a true and correct copy of the foregoing MOTION TO WITHDRAW AS COUNSEL OF RECORD via electronic service to the following:

**SEE MASTER SERVICE LIST**



An Employee of Matthew L. Johnson & Associates, P.C.

**IT IS SO ORDERED.**

  
**UNITED STATES MAGISTRATE JUDGE**  
**DATED:** November 21, 2011

MATTHEW L. JOHNSON & ASSOCIATES, P.C.  
LAKES BUSINESS PARK  
8831 WEST SAHARA  
LAS VEGAS, NEVADA 89117  
(702) 471-0065  
(702) 471-0075

AFFIDAVIT OF MATTHEW L. JOHNSON

STATE OF NEVADA        )  
COUNTY OF CLARK        ) SS:

MATTHEW L. JOHNSON, being first duly sworn, under oath and according to law, deposes and says:

1. I am an attorney, legally licensed to practice in the State of Nevada and before this Court, and the sole shareholder of the law firm of MATTHEW L. JOHNSON & ASSOCIATES, P.C.

2. Matthew L. Johnson & Associates was initially hired to conduct the debtor examinations for the Plaintiff. That work is now complete.

3. Matthew L. Johnson & Associates requests that its Motion to Withdraw as Counsel be granted. Robert Spears will remain as the attorney of record for the Plaintiff.

FURTHER AFFIANT SAYETH NAUGHT.

*Matthew L. Johnson*  
MATTHEW L. JOHNSON

SWORN TO and SUBSCRIBED TO  
before me this 18<sup>th</sup> day of November, 2011.

*Shari S. Hewes*  
NOTARY PUBLIC in and for  
said County and State

